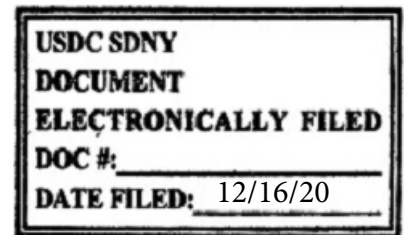




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December 15, 2020

United States District Court  
Southern District of New York  
Magistrate Barbara Moses

**MEMO ENDORSED**

Re: Stewart Martin v. Long Island Railroad, et al  
18-CV-9688 (ALC) (BCM)

Dear Magistrate Moses:

I am submitting the foregoing letter requesting an extension of time for the parties to submit complete expert reports in this matter. An initial case management order was ordered on December 17, 2019. Expert reports are due today for plaintiff. The reason for my request for an extension is that plaintiff had a recent accident causing an acute injury his back, which will require some time to heal before he can appear before his doctor for an exam related to the instant case. As such, our office cannot obtain a narrative report from a treating physician at this time which would reflect the injuries he sustained in the January 9, 2018 accident. Plaintiff sustained injuries to his pelvis, hip, and back, as a result of said accident, including a large migrating herniation to his back. We have filed a witness disclosure for Dr. Joseph Rothenberg, which meets our basic requirements under Rule 26. However, we would like an extension of time to include a narrative report, which would include a recent physical exam. Due to the recent accident, however, this exam would need to take place after his back has time heal from the recent accident.

Please note we have reached out to the defendants' counsel, and they did not express any objections to the within request. We request that the due date for our expert report/amended expert report be rescheduled to January 25, 2021, one week after the January 18, 2021 court mediation in this matter.

Yours, etc.

Andrew Green (AG 4237)

CC: Cc: Peter Chang, NYCTA, Natalie Feinstein, Bonner Kiernan, and Chris Pogan, LIRR

Application GRANTED. The deadline to submit expert reports is EXTENDED to **January 25, 2021**. Accordingly, the disclosure of expert evidence intended solely to contradict or rebut expert evidence on the same subject matter disclosed by the opposing party shall be made no later than **February 25, 2021**. Depositions of experts shall be completed no later than **March 25, 2021**. No further extensions will be granted absent compelling circumstances. If the parties wish to adjourn the settlement conference now scheduled for January 18, 2021, they shall promptly so request by letter-application, and shall provide at least two proposed dates (at 2:15 p.m. on a Monday, Tuesday, Wednesday, or Thursday), for the adjourned conference. SO ORDERED.

Barbara Moses, U.S.M.J.  
December 16, 2020